

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Bruno DE LIGNIERES  
Title: TREATMENT OF  
MASTALGIA WITH 4-  
HYDROXY TAMOXIFEN  
Appl. No.: 10/734,640  
Appl. Filing Date: 12/15/2003  
Examiner: U. Ramachandran  
Art Unit: 1617  
Confirmation Number: 9061

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

[ ] Please enter and consider the amendment and/or reply previously filed on \_\_\_\_.

- ☐ Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_ but not considered.
- ☐ Please consider the arguments in the Appeal Brief or Reply previously filed on \_\_\_.
- ☐ Other \_\_\_.
- b. Enclosed are:
- ☒ Amendment/Reply.
- ☒ Notice of Improper Request for Continued Examination (RCE).
- ☐ Information Disclosure Statement.
- ☐ Form PTO/SB/08 with copies of 2 listed reference(s).
- ☐ Other .

## Miscellaneous:

- ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$810.00	= \$810.00
Total Claims:	20	-	20 = 0	x \$50.00	= \$0.00
Independents	1	-	3 = 0	x \$210.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$370.00	= \$0.00
CLAIMS FEE TOTAL:					= \$810.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/>	Extension for response filed within the first month:	\$120.00	1	\$120.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$460.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$1,050.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,640.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,230.00		\$0.00
	EXTENSION FEE SUBTOTAL:			\$120.00
	EXTENSION FEE ALREADY PAID:	-		\$0.00
	EXTENSION FEE TOTAL			\$120.00
	CLAIMS AND EXTENSION FEE TOTAL:			\$930.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
	TOTAL FEE:			\$930.00

The filing fee in the amount of \$810.00 for the RCE was previously paid on August 29, 2008. A credit card payment form in the amount of \$120.00 to cover the extension of time fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date September 25, 2008

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 295-4094  
Facsimile: (202) 672-5399

By Courtenay C. Brinckerhoff

Courtenay C. Brinckerhoff  
Attorney for Applicant  
Registration No. 37,288